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OF
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May 23, 1997

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Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 4633

Dear Commissioners:

I am writing to state my reasons as to why no action should be taken against me by the FEC, pursuant to your letter of May 5, 1997.

As you are aware, Mr. James Anderson of Montgomery, Alabama, recently filed a charge against me, my father, and my father's campaign, Bob Riley for Congress, stating that we had violated FEC rules as a result of my contributions to conservative PACs.

I have never spoken to Mr. Anderson about this matter and it appears that he has taken all of his information from a newspaper article. Mr. Anderson, nevertheless, states in his letter to the Commissioners that I have acted in a manner which I have not (i.e., that my contributions were made "with the knowledge that substantial portions of these contributions would be contributed to the Riley campaign;" that the "contributions were earmarked through a corporate entity;" that the contributions were "explicitly earmarked ... or he indirectly or implied that his contributions should be used toward his father's campaign"), and which he cannot say in good faith. I emphatically deny the assertions of fact in his Complaint.

I am a practicing attorney in Birmingham, Alabama, having received my law degree from Yale Law School and a Masters Degree in Law from the University of Cambridge in England. I have never had any complaint of any type filed against me for any reason and I do not believe the current letter by Mr. Anderson should justify action against me, my father, or my father's campaign. I believe the primary purpose of Mr. Anderson's complaint is political.

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I set forth below my reasons as to why I do not believe any action should be taken by the Commissioners:

1. It is my understanding that an individual can give the maximum of \$1,000 per election to a candidate and may also give to political action committees.

2. I chose to give my father's campaign \$1,000 for each of his three campaigns (primary, run-off, and general election).

3. I chose to give \$1,000 to five (5) different political action committees.

4. The political action committees I supported are conservative in political philosophy. I have conservative views and wished to help the PACs that were supporting conservative candidates.

5. TRIAD recommended PACs to me that supported viable conservative candidates. I sent my checks to TRIAD to be delivered to the five PACs in early May of 1996. (See attached copies)

6. I understood that these PACs would use their financial resources to support candidates they believed were viable contenders to win in their districts. I received no assurances or suggestions that these PACs would support my father's campaign.

7. I have never spoken with anyone at any time with the PACs to which I contributed. I have neither made nor received any direct or indirect communication with them other than my sending checks to TRIAD to be given to the PACs. To my knowledge, I do not know anyone who works at any of these PACs.

8. There was never any explicit, indirect, or implied coordination of the funds I sent to the PACs through TRIAD and my father's campaign. I never had any communication with any of the PACs. The only people I spoke with were employees of TRIAD, primarily Carolyn Malenick, and she made it very clear to me that simply because I donated to a PAC did not mean that the PAC would donate to my father's campaign.

9. During the final weeks of the primary campaign (which was on June 4, 1996), my father began to emerge as the front runner. During the final two weeks before the primary, we began receiving contributions from many individuals and PACS, some of which we had never heard of before we received their checks. (Included in the checks received during that time were the checks from four of the five PACs at issue in this Complaint. The fifth PAC mentioned in the Complaint, Eagle Forum, sent two \$500 contributions after my father had won the primary and the run-off). As an example of the

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strong PAC support that began to come in during that period, we also received the endorsement of the National Rifle Association, which is very uncommon in a Republican party primary in which there are seven candidates. PACs typically sent contributions in amounts of \$500 or \$1,000.

10. My father came in first in the Republican primary with over 6,400 votes, with his closest opponent receiving approximately 3,400 votes. He almost won without a run-off.

11. I believe that the PACs to which I had contributed, as well as the PACs to which I did not contribute which supported my father, only chose to support him after they determined he was a viable candidate to win the Republican primary and to possibly win the Congressional seat, which had long been held by the Democrats.

12. I did not discuss with Donna Suggs, Treasurer of the campaign, or Bill Johnson, Campaign Manager, or any other employee, my interest in making these contributions in advance nor did I advise them as to my making the contributions.

13. While my father may have been aware that I was contributing to various political causes, he was not aware of the PAC's to which I contributed which are the basis of this Complaint.

14. If my father had not emerged from the seven candidates in the Republican primary as being the front runner, I feel certain that the PACs at issue would have used their resources elsewhere, and possibly would have supported one of my father's primary opponents.

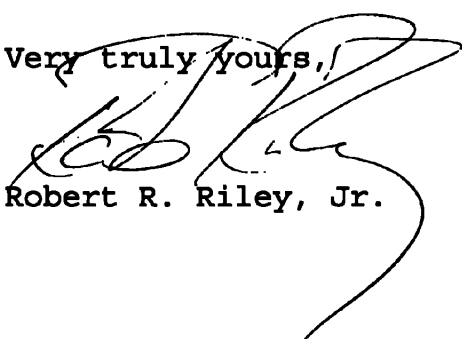
15. Although we were actively fundraising, my father had sufficient resources to independently fund his primary and run-off contests. The more critical time for our fundraising effort was later during the general election when we were attempting to appeal to approximately 200,000 voters as opposed to less than 20,000 primary voters. If the law had allowed, I would gladly have given him all of my money during the general election to help in his campaign. However, of course, I could not do so. But I did not at any time (not during the general election, nor during the primary nor the run-off), attempt to contribute money to conservative PACs so that they would contribute money to my father.

Although I feel the filing of this complaint is a political ploy to make my father look bad through me, I do want you to know that I fully understand your position in asking that I respond. I have the utmost respect for our campaign finance laws and the job that you do in looking into potential campaign finance abuse. I am

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happy to work with the Commission in any way you request to dispel any appearance of impropriety. I will answer any further questions which you have at any time you require.

Very truly yours,


Robert R. Riley, Jr.

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ROBERT E. RILEY, JR.
OR LESLIE M. RILEY

MAY 9 1996

0880

NATIONAL FAITH FAMILY & FREEDOM

ONE THOUSAND DOLLARS AND 00/100

SouthTrust Bank

LEGALBANC

FOR *Bob Riley*

ROBERT E. RILEY, JR.
OR LESLIE M. RILEY

MAY 9 1996

0881

CONSERVATIVE CAMPAIGN FUND

ONE THOUSAND DOLLARS AND 00/100

SouthTrust Bank

LEGALBANC

FOR *Bob Riley*

ROBERT E. RILEY, JR.
OR LESLIE M. RILEY

MAY 9 1996

0882

AMERICAN FREE ENTERPRISE PAC

ONE THOUSAND DOLLARS AND 00/100

SouthTrust Bank

LEGALBANC

FOR *Bob Riley*

ROBERT E. RILEY, JR.
OR LESLIE M. RILEY

MAY 9 1996

0883

EAGLE FORUM PAC

ONE THOUSAND DOLLARS AND 00/100

SouthTrust Bank

LEGALBANC

FOR *Bob Riley*

ROBERT E. RILEY, JR.
OR LESLIE M. RILEY

MAY 9 1996

0884

CITIZENS ALLIED FOR FREE ENTERPRISE

ONE THOUSAND AND 00/100

SouthTrust Bank

LEGALBANC

FOR *Bob Riley*

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